Scheme of Delegation

August 2023

Contents

Bolton Impact Trust is a multi-academy trust (MAT). The Board of Directors (Trustees) of the Trust are accountable in law for all decisions about its academies. However, this does not mean that the Board is required to make all the decisions itself. Many decisions can and should be delegated to the Academy Leadership team and Local Governing Bodies. It is vital that the decision to delegate a function is made by the board of Directors and is recorded. Without such formal delegation, the individual or committee has no power to act.

1. <u>Purpose</u>

The Scheme of Delegation has been developed to clarify and define the responsibilities and powers of the board of trustees, Local Governing Bodies and members of staff employed at the Academies in respect of key aspects of the management of the Schools and to ensure compliance with legal requirements and, where appropriate, policy. The delegations set out in this Scheme are delegated to the specified committees/individuals of the board of trustees and post holders employed at the School.

2. <u>Duties / Responsibilities</u>

Delegations cannot be exercised other than by the designated person or committee unless otherwise directed or agreed by Bolton Impact Trust. In the absence or incapacity of the CEO, the delegations stand delegated to the Academy Leadership Team unless otherwise directed or agreed by Bolton Impact Trust

Instead of exercising her/his delegated powers a post holder or committee/designated lead trustee may refer the matter to the Board of Trustees. The scheme will be reviewed at the first meeting of Trust Board in each academic year and is made without prejudice to the powers and duties of the Board of Trustees.

3. <u>The role of Members</u>

The Members of the Trust have a different status from Trustees. They are the signatories to the memorandum of association and will have agreed the Trust's articles of association (a document which outlines the governance structure and how the Trust will operate). The articles of association will also describe how Members are recruited and replaced, and how many of the Trustees the Members can appoint to the Trust Board. The Members appoint Trustees to ensure that the Trust's charitable object is carried out and so must be able to remove Trustees if they fail to fulfil this responsibility. Accordingly, the Trust Board submits an annual report on the performance of the Trust to the Members. Members are also responsible for approving any amendments made to the Trust's articles of association.

While Members are permitted to be appointed as Trustees, in order to retain a degree of separation of powers between the Members and the Trust Board, and in line with DfE expectations, not all Members should be Trustees. Members are not permitted to be employees of the academy trust.

4. <u>**The role of Trustees (Directors)**</u>

The Trustees are charity trustees (within the terms of section 177(1) of the Charities Act 2011) as well as Directors of the company limited by guarantee and are responsible for the general control and management of the administration of the Trust in accordance with the provisions set out in the memorandum and articles of association. The Board of Trustees is the accountable body for the performance of all academies within the Trust and as such must:

- Ensure clarity of vision, ethos and strategic direction
- Hold the CEO to account for the educational performance of the schools and their pupils, and the performance management of staff
- Oversee the financial performance of the Trust and make sure its money is well spent

Because Trustees are bound by both charity and company law, the terms 'trustees' and 'directors' are often used interchangeably.

The Trust Board is permitted to exercise all the powers of the academy trust. The Trust Board will delegate to the Academy Leadership team responsibility for the day to day operations of the Trust. The Trustees can determine whether to delegate any governance functions.

The Trust has the right to review and adapt its governance structure at any time, including the removal of delegated powers.

5. <u>**The role of Local Governing Bodies (LGBs)**</u>

The Trustees will establish local boards for the purpose of providing advice and support, informing the overall work of the Trust Board and increasingly mitigating against local risk in their respective Academies. However these boards are not legally responsible or accountable for statutory functions – the Trust Board retains overall accountability and responsibility. The responsibilities of local governing bodies are set out in their terms of reference. The Trust Board may appoint board members and board chairs.

6. <u>**The role of the Academy Leadership Team**</u>

The Academy Leadership team consists of the CEO, Vice Executive Principal, Chief Finance Officer, Business Development Manager, Director of Standards, Academy Leads and any other relevant employee as designated by the Trust Board.

The Academy Leadership team has the delegated responsibility for the operation of the Trust including the performance of the Trust's Academies

The CEO is the accounting officer, as such they have responsibility for the operation of the academy trust's financial responsibility and must ensure that the organisation is run with financial effectiveness and stability, avoiding waste and securing value for money.

7. <u>The role of Academy Leads</u>

The Academy Leads are responsible for the day to day management of their Academies. Academy Leads are managed by the Vice Executive Principal.

8. <u>Powers to Be Exercised only by the Trust Board</u>

None of the responsibilities in this paragraph may be further delegated.

1. Only the Trust Board may:

    a. Change the Constitution of the Board of Trustees,
    b. Decide on a change of school category,
    c. Delegate functions,
    d. Establish local committees,
    e. Apply to change the governing documents,
    f. Appoint Auditors

2. Only the Trust Board may:

    a. Appoint the Company Secretary,
    b. Appoint or remove members of the Audit Committee,
    c. Co-opt persons on to the Board of Trustees or Trust Board,
    d. Suspend Trustees

3. Additionally, the Trust Board has decided not to delegate the following:

    a. The Performance Management Review of the CEO
    b. Any changes in the times of school sessions and dates of term and holidays
    c. Appointment of the CEO, Appointment of the Academy Leads and Chief Finance Officer
    d. Approve the consolidated budget
    e. Approve the Annual Report and Accounts
    f. Implementation and monitoring of all policies

	Trustees	CEO	CFO	Local Governing Body	Academy Lead
Set strategic objectives of the Trust & Academies	Determine	Develop - in consultation with Committees, Central Team and Academy Leads	Consult - When appropriate	Recommend	Consult - in the case of their Academy
Deliver strategic objectives of the Trust & Academies	Review	Deliver	Deliver	Review	Deliver
Review & challenge - progress of the Trust against its strategic objectives and KPIs	Review	Report Review - reports from LGBs/Academy Leads	Report Review - reports from key Leaders	Review - progress of Academies Report - progress to CEO / CFO & Board	Report - progress of Academy to LGBs
Compliance: Funding Agreement - comply with all obligations including the Academies Financial Handbook	Review	Deliver	Deliver / Comply	Comply	Comply
Compliance: Regulatory - with all regulations affecting the Trust (including charity law, company law, employment law, health & safety)	Review	Deliver	Deliver	Review	Deliver
Compliance: Finanical Oversight - ensuring that these are appropriate financial controls so that there is regularity, probity and value for money in relation to the management of public funds	Determine - policies to ensure compliance Review	Deliver Report - to Board	Review - at an academy level Deliver / Advise Report - to CEO	Review	Deliver Report - to committee & CEO/ CFO
Compliance: Completing the register of business interests and put in place procedures to deal with any conflicts of interest	Determine - policies to ensure compliance Deliver			Deliver	
Appointment of Trustees, Committee members and LGB Members	Determine - policies and criteria for selection of Trustees, Committee members and LGB Members Appoint LGB Members Review - the Boards's own performance	Report - performance of committes and LGBs Review/ Recommend changes - annually the size, structure and composition and skills determines of committees		Review - procedures for election of staff and parent committee members Review - own performance	Support - the CEO in reviewing the size, structure and composition and skills determines of LGBs
Appointment of the Responsible Officer and Audit Committee	Deliver - appoint Responsible Officer	Deliver - the Responsible Officer role	Review - compliance at Academy level Report - to Responsible Officer		
Appointment of Clerk – Board, Committees and LGBs	Deliver - appoint the clerk			Consult - in connection with appointment of the local committee and LGB clerk	
Policies: Review and approval of Trust Wide Policies	Determine	Deliver	Deliver	Review	Deliver
Prepare terms of reference for local committees	Deliver	Develop	Develop		
Training programmes for trustees and committee members	Deliver	Develop		Deliver	

	Trustees	Director of Academy operations	Local Governing Body	Academy Lead
EDUCATION AND CURRICULUM				
Academy Development Plan: for each Academy in line with strategic aims (and improvement plan of the Trust)	Determine - the Trusts Development Plan in consultation with the CEO and Vice Exec Principal	Support and monitor with Academy Leads	Determine - Academy Improvement Plan and share overall academy aims with Trustees	Deliver - drafting and agreeing Academy improvement Plan with the Vice Exec Principal
Key Performance Indicators: setting and reviewing performance of the Trust & Academies	Determine - Trust wide and Academy KPIs Review - performance against KPIs	Consult - with LGB and propose KPIs to the Board Receive Reports - from the committees and report performance of the committes against KPIs	Recommend - targets for performance of the Academy to the CEO Review - performance of the Academy and report to CEO	Deliver - performance of the Academy against KPIs Report - performance of the Academy to Local Committee
Quality of Teaching: ensuring appropriate levels of support, challenge and intervention to support delivery of education outcomes	Review - the work of the Vice Exec Principal	Deliver - supporting the Academies and intervening where appropriate Report - to Trustees	Review - progress of Academies	Review - management of staff to ensure teaching & learning objectives are met Report - strengths and concerns in the quality of teaching to LGB, Standards Ctte and Vice EP
Curriculum: setting an appropriate curriculum for the Academies and reviewing effectiveness	Review - effectiveness across the Trust	Support Academy Leads	Review - on an individual Academy basis Consult - provide input	Deliver - a broad and balanced curriculum which promotes fundamental British values
Teaching & Learning: Set policy for the Trust	Deliver Approve - any appropriate recommended changes	Review - the policy at least every 3 years and suggest any necessary		Develop Academy T and L Policy
Sex Education: Set policy for the Trust	Deliver & review - Trust wide implementation	Monitor Delivery	Review - local implementation	Develop and Deliver Academy Sex Education Policy
Religious Education: inclusion in curriculum	Monitor	Deliver - ensure that RE is delivered on a Trust wide basis in accordance with the schools basic curriculum	Review - local implementation	Deliver - ensure that RE is delivered in the Academy in accordance with the Academies curriculum
Pupil Premium: reviewing and challenging the value for money / ROI in terms of educational outcomes and closing the achievement gap	Review	Report - to the Board the effective use of Pupil Premium across the Trust	Review - on an individual Academy basis	Report - on effectiveness of Pupil Premium to the Vice EP and LGBs
Admissions Policy:	Deliver	Monitort and Review		Develop and Deliver
Students Issues: including attendence, Suspensions, punctuality and disciplinary matters for each Academy	Review	Review / delivery Action - can exclude pupils for fixed periods of not more than 45 days in total in a year Report - details of all exclusions to the Board at least once a term	Receiving - reports from Academy Leads Report - any material issues to the Board	Deliver - ensure student issues are dealt with in accordance with Trust and Academy Policies Action - can exclude pupils for fixed periods of not more than 5 days consecutively and not more than 15 in a year Report - to local committee any material issues
Term Dates and length of school day	Determine in consultation with Local Governing Bodies		Consult with the Board	Propose
Lunches: including provision for those receiving free school meals and nutritional standards			Review	Deliver

HUMAN RESOURCES

	Trustees	CEO & DAO	CFO	Local Governing Body	Academy Lead
Appointing CEO	Appoint		Support - to the Trust board during the recruitment process		
Appointing Academy Leads	Approve - in consultation with CEO	Recommend - sit on appointment panel along with at least two representatives from the Trustees	Support - to the CEO during the recruitment process	Sit on appointment panel	
Appointing Teachers: for each Academy		Appoint - staff within the Academies and to delegate this to Academy Leads	Support - to the Academy Teams		Recommend - sit on appointment panel along with at least one representatives from the Trustees
Appointing Support Staff: for each Academy			Support - to the Academy Teams		Appoint - staff within the Academy, appointment panel to consist of at least 2 senior members of staff
Appointing Admin Support Staff: for each Academy			Support - to the Academy Teams		Appoint - staff within the Academy, appointment panel to consist of at least 2 senior members of staff
Advise on staff requirements: including staffing structures and any changes be that reductions or revisions	Approve - any appropriate recommended changes Approve - any recommendations for redundancies	Agree - staffing structures Report - any key changes to the Trustees and all matters relating to redundancy	Report - Ensure staffing structures are reflected accurately in budget process Support - Trustees, CEO and Academy Leads through restructuring process and will attend consultation meetings as the CEO feels appropriate	Review - staffing structures Report - any key changes to the Trustees and all matters relating to redundancy	Propose - staffing structures Recommend - any changes to staffing structures
Establishing Trust wide HR Policies: to include but not limited to recruitment, discipline, capability, grievance and absence policies, maternity / paternity, st	Determine	Deliver	Deliver	Review	Comply
Teachers pay progression: and other teacher pay related matters	Delegate to Pay Committee	Recommend - change to Teachers pay in consultation with academy Leads	Support - CEO ensuring all proposals are appropriately costed	Form Local Pay committee for Academy Teaching staff decisions	Propose - changes to Teachers pay
Support / Admin progression: any changes outside of the standard progression model	Delegate to Pay Committee	Recommend - change to support / admin pay in consultation with Academy Leads	Support - CEO ensuring all proposals are appropriately costed	Form Local Pay committee for Academy Support/Admin staff decisions	Propose - changes to support / admin pay
Setting Terms and Conditions of Employment: staff code of conduct	Determine	Recommend	Support / Recommend	Review	Comply
Dismissing: CEO /CFO/Central Team and Academy Leads	Deliver - in respect of the CEO /Finance Director/Academy Leads	Deliver with Trustees	Support - Trustees, CEO through the process		
Dismissing: all other staff (in accordance with the Trust disciplinary and capability policies)	Approve	Deliver	Support - Trustees, CEO and Academy Leads through the process	Approve	Review
Reviewing discipline and grievance policy	Review delivery	Deliver		Review - in line with trust policy	Comply
DBS Checks: initial and 10% random sample annually	Review delivery	Report	Deliver	Review	Deliver
Safeguarding:	Responsible - The trustees carry overall responsibility for ensuring that safeguarding policies are implemented	Deliver - report to Trustees any deviations to the safeguarding policy and any allegations raised against staff Support - Trustees with addressing/ investigating allegations made against any key Leaders	Support - CFO with investigations as requested by the CFO	Review and approve policies	Policy Development and Delivery

	Trustees	CEO	CFO	Local Governing Body	Academy Lead
Funding Model: agree a funding model across the Trust and develop an individual funding	Determine	Recommend - a funding model to the Board for approval	Support - CEO in the construction of a funding model	Review	Comply
Annual Budgets: formulating and determining the proportion of the overall budget to be delegated to each Academy and ensuring delivery	Determine	Deliver - on preparation of the Trust and individual Academy budgets and present to the Board for approval Review - submission of the budgets to ESFA Report - to the Trustees any material variances to budgets	Support - to the CEO with the development of the budgets Review - both individual and overall Trust budgets for accuracy and robustness Analysis - variance analysis to be carried out and any material variances reported to CEO	Review - proposed Academy budgets and refer any issues to the Trust board	Deliver - for individual Academy Report - to the Local Committee any material concerns
Reporting: financial reporting and KPIs	Determine	Deliver	Prepare - all Trust wide financial reporting in a timely and accurate manner (Statutory Accounts, VAT returns, ESFA returns, Charity Commission returns and other HMRC/ Companies House returns)	Review	Deliver
Delegated Budgets & Finances: scheme of delegation of financial authority for the Trust and individlau Academies	Determine	Review - recommendations of Finance Director Review - effectiveness of limits	Deliver - on recommending financial limits to the CEO / Board Report - on effectiveness of limits	Review - compliance to the limits	Comply - adherence to the limits
Financial Policies: establishing of policies and procedures to ensure compliance with the Trusts financial and reporting requirements	Determine	Report - any concerns to the Trust and provide reassurance on compliance	Review - compliance with policies and report any issues to the CEO	Review - local adherence to polices and report any material issues to the Trustees	Comply - with all financial policies and procedures
Approving Annual Accounts	Approve	Deliver - ensure all deadlines are met	Deliver - arrange for auditing and filing of annual report and accounts		
Corporate Risk Register:	Review delivery	Deliver - management of corporate risk register	Review - risk registers for the Trust and report any issue sto the CEO	Manage Local risk register (standing item on LGB Agendas)	
Investments: agreeing the investment policy in line with the Academies Finanical Handbook and and internal policies and controls	Determine and review delivery	Deliver			
Procurement Policy: setting Trust wide policy in accordance with the Funding Agreement, Academies Financial Handbook and legal regulations	Determine	Deliver	Review - compliance with policies and report any issues to the CEO	Review - compliance	Comply
Central services: allocation of central service and reviewing effectiveness	Determine - allocation in consultation with local committees Review - effectiveness	Deliver - on recommending the allocation of servies Report - to the Trustees the impact of the central services deployed at Academy level	Support/ Recommend	Consult	Consult/ Propose
Asset and Premises Maintenance Strategy: determine the use and ensure premises are	Determine - Trust wide policy	Recommend	Review - delivery of the Trust plan	Review - compliance to the policy for each Academy	Deliver - in accordance with the Trust policy
Acquiring and disposing of Trust land:	Approve	Recommend			
Change the use of assets	Approve	Recommend		Review/ Report - any changes proposed to the use of Fixed Assets	Recommend - changes to the iuse of assets in individual academies
Insurance: arranging insurance for the Trust		Deliver	Arrange		
Media and PR: including Prospectus and website	Approve	Deliver	Review/ Recommend	Review	Recommend

FINANCE & OPERATIONS